

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Marjorie Redmond,)	Civil Action No. <u>3:24-cv-06295-MGL</u>
)	
)	
Plaintiff,)	
)	
vs.)	DEFENDANT'S RESPONSES TO
)	RULE 26.01 INTERROGATORIES
Bio-Medical Applications of)	
South Carolina, Inc. d/b/a)	
Fresenius Kidney Care Midtown.)	
)	
Defendant.)	
_____)	

Defendant Bio-Medical Applications of South Carolina, Inc. d/b/a Fresenius Kidney Care Midtown, by and through its undersigned counsel, responds to Local Rule 26.01 Interrogatories as follows:

LOCAL RULE 26.01 INTERROGATORIES

(A) State the full name, address, and telephone number of all persons or legal entities who may have a subrogation interest in each claim and state the basis and extent of that interest.

ANSWER: Defendant is not aware of any person or legal entity which may have a subrogation interest in Plaintiff's claims. However, Defendant reserves its right to amend this response if such an interest is later discovered.

(B) As to each claim, state whether it should be tried jury or nonjury and why.

ANSWER: Plaintiff has requested a jury trial. Defendant does not oppose Plaintiff's request for a trial by jury if the causes of action have not already been dismissed pursuant to any motion by Defendant and are otherwise appropriate to be tried by a jury.

(C) State whether the party submitting these responses is a publicly-owned company

and separately identify (1) any parent corporation and any publicly-held corporation owning ten percent (10%) or more of the party's stock; (2) each publicly-owned company of which it is a parent; and (3) each publicly-owned company in which the party owns ten percent (10%) or more of the outstanding shares.

ANSWER: Defendant is not a publicly-owned company. Defendant is a wholly owned subsidiary of Bio-Medical Applications Management Company, Inc., which is not a publicly held corporation. Defendant is not a parent of any publicly-owned company. Defendant does not own ten percent or more of the outstanding shares of any publicly-owned company.

(D) State the basis for asserting the claim in the division in which it was filed (or the basis of any challenge to the appropriateness of the division).

ANSWER: Because this case was pending in the Court of Common Pleas in Richland County, removal is proper to the Columbia Division pursuant to 28 U.S.C. § 121(11).

(E) Is this action related in whole or in part to any other matter filed in this District, whether civil or criminal? If so, provide: (1) a short caption and the full case number of the related action; (2) an explanation of how the matters are related; and (3) a statement of the status of the related action. Counsel should disclose any cases which *may be* related regardless of whether they are still pending. Whether cases *are* related such that they should be assigned to a single judge will be determined by the Clerk of Court based on a determination of whether the cases: arise from the same or identical transactions, happenings, or events; involve the identical parties or property; or for any other reasons would entail substantial duplication of labor if heard by different judges.

ANSWER: Defendant is not aware of any other action filed in this District and related to this matter.

(F) If the defendant is improperly identified, give the proper identification and state whether counsel will accept service of an amended summons and pleading reflecting the correct identification.

ANSWER: Defendant is properly identified.

(G) If you contend that some other person or legal entity is, in whole or in part, liable to you or the party asserting a claim against you in this matter, identify such person or entity and describe the basis of said liability.

ANSWER: At this time, Defendant does not contend that another person or legal entity is liable. Defendant, however, expressly reserves the right to later identify a person or legal entity who may be liable to either Plaintiff or Defendant upon discovery of such person or other legal entity.

(H) Parties or Intervenors in a Diversity Case. In an action in which jurisdiction is based on diversity under 28 U.S.C. § 1332(a), a party or intervenor must, unless the court orders otherwise, name – and identify the citizenship of – every individual or entity whose citizenship is attributed to that party or intervenor. This response must be supplemented when any later event occurs that could affect the court’s jurisdiction under § 1332(a).

ANSWER: Defendant is a foreign corporation organized under the laws of the State of Delaware with its primary place of business in the Commonwealth of Massachusetts.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT

Dated this 1st day of November 2024.